

Testimony in Support of SB 377, 378, 386
Senate Judiciary Committee: Senator Rick Jones, Chair
June 18, 2013

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Chair Jones, Vice Chair Schuitmaker, Minority Chair Beida and Senator Rocca:

My name is Beatrice M. Friedlander. I represent both the Animals and Society Institute (a non-profit headquartered in Ann Arbor), and the State Bar Animal Law Section.

The Animals and Society Institute develops knowledge in the field of human-animal studies, supports practice to address the relation between animal cruelty and other violence and promotes action to protect animals through the adoption of ethical, compassionate public policy. An independent research and educational organization, we work to enhance understanding of our complex relationships with other animals, stop the cycle of violence and promote stricter animal protection laws. **The ASI supports all three bills before the Committee today.**

The Animal Law Section of the State Bar of Michigan provides education, information and analysis about issues of concern through meetings, seminars, a web site, public service programs, and publication of a newsletter. Membership in the Section is open to all members of the State Bar of Michigan. Statements made on behalf of the Section do not necessarily reflect the views of the State Bar of Michigan. **The Section Council voted to support HB 4534 and 4535 (SB 377 and 378) (see *attached statement*), but has not addressed SB 386.**

This legislation is important to protect not only animals but also to protect Michigan citizens, including some of our state's most vulnerable and powerless.

There is an increasingly well-known phenomena in the social sciences, The Link (or Cycle of Violence), which I will be summarizing by way of background information for the Committee. In the past three decades, there has been greater awareness that acts of animal abuse can be a sentinel indicator (triggering further analysis)—and often a predictor—of other forms of family and community violence.

Studies show that there is a connection between acts of cruelty to animals and violence toward humans, including child abuse, spousal battery, elder abuse, and other types of criminal violence. These human victims are the vulnerable and powerless populations to whom I referred above.

By strengthening our state's laws to protect animals, we interrupt a cycle that can ensnare people as well as animals. The registry would keep animals out of the hands of convicted abusers, and assist in investigation of other crimes by allowing authorities access to registry information.

Studies of The Link abound; a selection of the research on three salient issues follows:

1. The Link and Violent Crimes:

- a. 70% of animal abusers had criminal records, including violent crime (Arluke & Luke, 1997)

- b. 35% of search warrants executed for animal abuse or dog fighting interviews resulted in seizures of narcotics or guns; 82% of offenders arrested for animal abuse violations had prior arrests for battery, weapons, drug charges; 23% had subsequent arrests for felony offenses (Chicago Crime Commission, 2004)
- c. 70% of people charged with animal cruelty were known by police for other violent behavior—including homicide (Boat & Knight, 2000)
- d. Animal abuse is a better predictor of sexual assault than were previous convictions for homicide, arson or firearms offenses (Clarke, 2002)
- e. 63% of aggressive criminals had deliberately inflicted harm on animals in childhood (Schiff, Louw & Ascione, 1999)

2. The Link and Domestic Violence

- a. Twelve studies report that 18% to 48% of battered women delay leaving abusive situations out of fear for the safety of their animals (Ascione, 2007)
- b. 68% of battered women reported violence to their animals; 75% of these occurred in the presence of children (Quinlisk, 1999)
- c. 32% of battered women reported their children had hurt or killed animals (Ascione, 1998)
- d. Children exposed to domestic violence were three times more likely to be cruel to animals (Currie, 2006)

3. The Link Related to Children and Child Abuse

- a. Children's *witnessing* animal cruelty was the largest predictor of future violence, with the witness eight times more likely to become a perpetrator. Animal abuse perpetration was associated with higher rates of child neglect (DeGue & DiLillo, 2009)
- b. 62% to 76% of animal cruelty in the home occurs in front of children (Faver & Strand, 2003)

Strengthening animal protection laws helps protect people.

These bills present a balanced approach between protecting the rights (and privacy) of the person required to register and the public's and animals' safety.

At the same time this legislation recognizes that law enforcement, government agencies and the judicial system have a legitimate need to access information about animal abusers in connection with the performance of their duties (not only in the investigation of animal abuse cases). It is carefully crafted to allow appropriate use of abuse registry information by law enforcement, courts, grand juries and animal care regulatory agencies [Sec. 7. (5) (a), (c), (d), (e)]. Of note is that not all such use is limited to investigation of animal abuse, which in effect acknowledges the existence of The Link by recognizing the potential relevance of information about an individual's history of animal abuse in other types of proceedings.

Thank you for the opportunity to testify today.

ANIMAL LAW SECTION

Respectfully submits the following position on:

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HB 4534 & HB 4535

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The Animal Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Animal Law Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Animal Law Section is 164.

The position was adopted after an electronic discussion and vote. The number of members in the decision-making body is 15. The number who voted in favor to this position was 13. The number who voted opposed to this position was 1.

Report on Public Policy Position**Name of section:**

Animal Law Section

Contact person:

Donald Garlit

E-Mail:donaldgarlit@yahoo.com**Bill Number:**

[HB 4534](#) (Muxlow) Animals; animal shelters; use of animal abuse registry by animal control shelters and animal protection shelters when allowing an animal adoption; require, and prohibit animal control shelters and animal protection shelters from allowing a person listed on an animal abuse registry to adopt an animal. Amends [1969 PA 287](#) (MCL [287.331](#) - [287.340](#)) by adding sec. 8b.

[HB 4535](#) (Santana) Criminal procedure; other; animal abuse offenders registry; create. Creates new act.

Date position was adopted:

June 3, 2013

Process used to take the ideological position:

Position adopted after an electronic discussion and vote.

Number of members in the decision-making body:

15

Number who voted in favor and opposed to the position:

13 Voted for position

1 Voted against position

0 Abstained from vote

1 Did not vote

Position:

Support

Explanation of the position, including any recommended amendments:

These bills would create an animal abuse registry available to authorities or organizations who investigate animal abuse, or are involved with licensing foster care applicants. Shelters adopting animals would be required to search the registry and could not adopt to any person listed thereon. The Council supports the bill as an appropriate and reasonable measure to protect animals as well as humans, given the established connection between animal abuse and other violent behavior. It strikes a balance by making the information available only to parties with a need to

know. The Council recommends expanding those entities required to search the database to breeders and others who sell, as well as adopt, animals.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2013-HB-4534>

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